

# LOCAL SECONDHAND SMOKE MEASURES IN MASSACHUSETTS RESTAURANTS AND BARS SUMMARY OF STATUS

6/8/2004

Local measures in a city or town require the approval of either the local board of health (board of health regulation) or local legislative body (city council - ordinance/ town meeting - by-law).

## Measures enacted - local regulation, ordinance or by-law have been passed

	Cities/ Towns	2000 Population	Percentage of MA residents
1. All restaurants, restaurants with bar areas and stand-alone bars are smokefree	103	2,641,202	41.6%
2. All restaurants with bar areas are smokefree	16	172,647	2.7%
3. All Dining areas are smokefree	86	1,580,898	24.9%
4. Some restaurants are smokefree	24	769,562	12.1%
5. Local measure is similar to state law	15	544,159	8.6%
6. No local measure	107	640,629	10.1%
<b>Total</b>	<b>351</b>	<b>6,349,097</b>	

<b>Local measure is stronger than state law</b>	229	5,164,309	81.3%
<b>No smoking in any dining room</b>	205	4,394,747	69.2%
<b>No smoking in any restaurant including bar areas</b>	119	2,813,849	44.3%

## Measures implemented - local regulation, ordinance or by-law are in effect

	Cities/ Towns	2000 Population	Percentage of MA residents
1. All restaurants, restaurants with bar areas and stand-alone bars are smokefree	96	2,264,355	35.6%
2. All restaurants with bar areas are smokefree	16	172,647	2.7%
3. All Dining areas are smokefree	88	1,731,637	27.3%
4. Some restaurants are smokefree	27	875,657	13.8%
5. Local measure is similar to state law	16	575,122	9.1%
6. No local measure	108	729,679	11.5%
<b>Total</b>	<b>351</b>	<b>6,349,097</b>	

<b>Local measure is stronger than state law</b>	227	5,044,296	79.4%
<b>No smoking in any dining room</b>	200	4,168,639	65.7%
<b>No smoking in any restaurant including bar areas</b>	112	2,437,002	38.4%

**31.75% of the population live in one of the 68 communities that has enacted a comprehensive smoke-free workplace regulation**

### State Law:

Smoking is not permitted in any restaurant that seats more than 75 people, except in a specifically designated smoking area. The non-smoking area must be no less than 200 sq. ft. of floor space. (MGL c. 270§22)



## STATUS OF LOCAL SECONDHAND SMOKE REGULATIONS IN RESTAURANTS AND BARS IN MASSACHUSETTS

The following communities have enacted local measures to eliminate or restrict secondhand smoke:

1. All restaurants, bar areas of restaurants and stand-alone bars are completely smokefree.				Include all worksites
City/Town	2000 Pop.	Type of local measure	Status of implementation	
Abington	14,605	BOH regulation	In effect 09/22/03	yes
Amherst	34,874	BOH regulation	In effect	yes
Arlington	42,389	BOH regulation	In effect	yes
Ashfield	1,800	BOH regulation	In effect 9/1/2003	yes
Barnstable	47,821	BOH regulation	In effect	no
Barre	5,113	BOH regulation	In effect	no
Belchertown	12,968	BOH regulation	In effect	no
Belmont	24,194	BOH regulation	In effect	yes
Beverly	39,862	BOH regulation	In effect 8/1/2003	yes
Boston	589,141	BOH regulation	In effect 5/5/2003	yes
Bourne	18,721	By-law	In effect	yes
Braintree	33,828	BOH regulation	In effect	yes
Brewster	10,094	BOH regulation	In effect	yes
Bridgewater	25,185	Town by-law	In effect 9/1/2003	yes
Brimfield	3,339	BOH regulation	In effect	no
Brookline	57,107	By-law	In effect	yes
Buckland	1,991	BOH regulation	In effect	yes
Cambridge	101,355	Ordinance	In effect 10/01/03	yes
Canton	20,775	by-law	waiting approval	
Carver	11,163	BOH regulation	In effect 7/1/2003	no
Chatham	6,625	BOH regulation	In effect	yes
Chelsea	35,080	BOH regulation	In effect 9/8/2003	yes
Chilmark	843	BOH regulation	In effect	yes
Cohasset	7,261	By-law	In effect 1/1/2004	yes
Danvers	25,212	BOH regulation	In effect 1/2/2004	yes
Dedham	23,464	BOH regulation	In effect 1/5/2004	yes
Dover	5,558	BOH regulation	In effect	no
Duxbury	14,248	BOH regulation	In effect	yes
Easton	22,299	By-law	In effect	yes
Edgartown	3,779	BOH regulation	In effect	yes
Egremont	1,345	BOH regulation	In effect	yes
Essex	3,267	BOH regulation	In effect 11/3/2003	no
Everett	38,037	BOH regulation	8/1/04	yes
Falmouth	32,660	BOH regulation	In effect 1/1/2004	no
Framingham	66,910	BOH regulation	7/5/04	yes
Freetown	8,472	BOH regulation	In effect 1/1/2004	yes
Gay Head (Aquinnah)	344	BOH regulation	In effect	yes
Grafton	14,894	BOH regulation	In effect 7/1/03	yes
Great Barrington	7,527	BOH regulation	In effect	yes
Hancock	721	BOH regulation	In effect 10/1/03	yes
Harwich	12,386	BOH regulation	In effect	yes
Heath	805	BOH regulation	In effect	yes
Hingham	19,882	BOH regulation	In effect	yes

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Holliston	13,801	BOH regulation	In effect 7/1/03	yes
Hubbardston	3,909	BOH regulation	In effect	no
Lee	5,985	BOH regulation	In effect 9/15/2003	yes
Lenox	5,077	BOH regulation	In effect 9/15/2003	yes
Lexington	30,355	BOH regulation	In effect	yes
Lincoln	8,056	BOH regulation	In effect	yes
Littleton	8,184	BOH regulation	In effect 1/1/04	no
Lynn	89,050	BOH regulation	07/05/04	yes
Manchester by the Sea	5,228	BOH regulation	In effect 12/01/03	yes
Marblehead	20,377	BOH regulation	In effect	no
Marion	5,123	BOH regulation	In effect	yes
Mashpee	12,946	BOH regulation	In effect	no
Medfield	12,273	BOH regulation	In effect	yes
Medford	55,765	BOH regulation	In effect	no
Middleton	7,744	BOH regulation	In effect 2/2/2004	yes
Monterey	934	BOH regulation	In effect	yes
Nantucket	9,520	By-law	In effect	yes
Needham	28,911	BOH regulation	In effect	yes
New Braintree	927	BOH regulation	In effect	no
Newton	83,829	Ordinance	9/7/04	yes
Norfolk	10,460	BOH regulation	In effect	yes
Norton	18,036	BOH regulation	In effect	no
Oak Bluffs	3,713	By-law	In effect	yes
Orleans	6,341	BOH regulation	In effect	yes
Peabody	48,129	BOH regulation	In effect 8/15/2003	yes
Petersham	1,180	BOH regulation	In effect	no
Plymouth	51,701	By-law	In effect	no
Provincetown	3,431	BOH regulation	In effect	no
Randolph	30,963	BOH regulation	07/06/04	
Reading	23,708	BOH regulation	In effect	no
Revere	47,283	BOH regulation	08/02/04	yes
Richmond	1,604	BOH regulation	In effect	yes
Rochester	4,581	BOH regulation	In effect	no
Salem	40,407	BOH regulation	In effect	no
Sandwich	20,136	By-law	In effect	yes
Saugus	26,078	BOH regulation	In effect 5/5/2003	yes
Sharon	17,408	BOH regulation	In effect	no
Sheffield	3,335	BOH regulation	In effect 9/15/2003	yes
Somerville	77,478	BOH regulation	In effect 10/1/2003	yes
Southampton	5,387	BOH regulation	In effect	yes
Stockbridge	2,276	BOH regulation	In effect 9/15/2003	yes
Stoneham	22,219	BOH regulation	In effect	no
Swampscott	14,412	BOH regulation	In effect	no
Tisbury	3,755	BOH regulation	In effect	yes
Truro	2,087	By-law	In effect	no
Tyringham	350	BOH regulation	In effect	yes
Wakefield	24,804	BOH regulation	In effect	yes
Wareham	20,335	BOH regulation	In effect	no
Watertown	32,986	BOH regulation	In effect 5/5/2003	yes
Wellesley	26,613	BOH regulation	In effect	no
West Tisbury	2,467	BOH regulation	In effect	yes
Westminster	6,907	BOH regulation	In effect	no

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Westport	14,183	BOH regulation	In effect 5/15/2003	yes
Westwood	14,117	BOH regulation	In effect	no
Weymouth	53,988	BOH regulation	In effect	yes
Williamstown	8,424	BOH regulation	In effect	no
Wilmington	21,363	By-law	In effect	no
Woburn	37,258	Ordinance	In effect	no
Wrentham	10,554	BOH regulation	In effect 7/1/2003	yes
Yarmouth	24,807	BOH regulation	In effect	yes
<b>103 communities</b>	<b>2,641,202</b>			

## 2. All restaurants and bar areas of restaurants are completely smokefree.

City/Town	2000 Pop.	Type of local measure	Status of implementation
Adams	8,809	Boh regulation	In effect
Andover	31,247	By-law	In effect
Athol	11,299	BOH regulation	In effect
Eastham	5,453	By-law	In effect
Easthampton	15,994	BOH regulation	In effect
Ipswich	12,987	BOH regulation	In effect 8/1/2003
Lancaster	7,380	BOH regulation	In effect
Leicester	10,471	BOH regulation	In effect
Mansfield	22,414	BOH regulation	In effect
Oakham	1,673	BOH regulation	In effect
Palmer	12,497	BOH regulation	In effect
Spencer	11,691	BOH regulation	In effect
Templeton	6,799	BOH regulation	In effect
Wellfleet	2,749	BOH regulation	In effect
Whately	1,573	BOH regulation	In effect
Winchendon	9,611	BOH regulation	In effect
<b>16 communities</b>	<b>172,647</b>		

## 3. All dining rooms are smokefree; all restaurants without liquor licenses are completely smokefree.

City/Town	2000 Pop.	Type	Status of implementation
Acton	20,331	BOH regulation	In effect
Acushnet	10,161	By-law	In effect
Agawam	28,144	Ordinance	In effect
Amesbury	16,450	BOH regulation	In effect
Ashland	14,674	BOH regulation	In effect
Attleboro	42,068	BOH regulation	In effect
Auburn	15,901	BOH regulation	In effect
Avon	4,443	BOH regulation	In effect
Bedford	12,595	BOH regulation	In effect
Bellingham	15,314	BOH regulation	In effect
Boylston	4,008	BOH regulation	In effect
Chelmsford	33,858	BOH regulation	In effect
Chicopee	54,653	BOH regulation	In effect
Concord	16,993	By-law	In effect
Dalton	6,892	By-law	In effect
Dartmouth	30,666	BOH regulation	In effect
Deerfield	4,750	By-law	In effect

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Dennis	15,973	BOH regulation	In effect
Dudley	10,036	BOH regulation	In effect
Fairhaven	16,159	BOH regulation	In effect
Fitchburg	39,102	BOH regulation	In effect
Foxborough	16,246	BOH regulation	In effect
Georgetown	7,377	BOH regulation	In effect
Gloucester	30,273	BOH regulation	In effect
Greenfield	18,168	BOH regulation	In effect
Groton	9,547	BOH regulation	In effect
Groveland	6,038	BOH regulation	In effect
Hatfield	3,249	BOH regulation	In effect 7/15/03
Haverhill	58,969	BOH regulation	In effect
Holbrook	10,785	BOH regulation	In effect
Holden	15,621	BOH regulation	In effect
Holyoke	39,838	BOH regulation	In effect
Hopkinton	13,346	BOH regulation	In effect
Lakeville	9,821	BOH regulation	In effect
Lanesborough	2,990	BOH regulation	In effect
Leominster	41,303	BOH regulation	In effect
Longmeadow	15,633	BOH regulation	In effect
Lowell	105,167	BOH regulation	In effect
Lynnfield	11,542	BOH regulation	In effect
Marlborough	36,255	BOH regulation	In effect 1/1/2004
Marshfield	24,324	By-law	In effect
Mattapoisett	6,268	BOH regulation	In effect
Maynard	10,433	BOH regulation	In effect
Medway	12,448	BOH regulation	In effect
Melrose	27,134	BOH regulation	In effect
Mendon	5,286	BOH regulation	In effect
Methuen	43,789	BOH regulation	In effect
Milford	26,799	BOH regulation	In effect
Millville	2,724	BOH regulation	In effect
Milton	26,062	BOH regulation	In effect
Monson	8,359	BOH regulation	In effect
Montague	8,489	BOH regulation	In effect
Natick	32,170	By-law	In effect
North Adams	14,681	BOH regulation	In effect
North Andover	27,202	BOH regulation	In effect
North Attleboro	27,143	BOH regulation	In effect
North Reading	13,837	BOH regulation	In effect 12/1/2003
Northampton	28,978	BOH regulation	In effect
Northbridge	13,182	BOH regulation	In effect
Pittsfield	45,793	BOH regulation	In effect
Plainville	7,683	BOH regulation	In effect
Princeton	3,353	BOH regulation	In effect
Royalston	1,254	BOH regulation	In effect
Scituate	17,863	By-law	In effect
Shelburne	2,058	BOH regulation	In effect
Sherborn	4,200	BOH regulation	In effect
South Hadley	17,196	BOH regulation	In effect
Southborough	8,781	BOH regulation	In effect
Southbridge	17,214	BOH regulation	In effect

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Sterling	7,257	BOH regulation	In effect
Stow	5,902	BOH regulation	In effect
Sturbridge	7,837	BOH regulation	In effect
Sudbury	16,841	BOH regulation	In effect
Sunderland	3,777	BOH regulation	In effect
Tewksbury	28,851	BOH regulation	In effect
Townsend	9,198	BOH regulation	In effect
Uxbridge	11,156	BOH regulation	In effect
Walpole	22,824	BOH regulation	In effect
Ware	9,707	BOH regulation	In effect
Wayland	13,100	BOH regulation	In effect
Webster	16,415	BOH regulation	In effect
West Boylston	7,481	BOH regulation	In effect
West Brookfield	3,804	BOH regulation	In effect
West Springfield	27,899	BOH regulation	In effect
Westborough	17,997	BOH regulation	In effect
Winchester	20,810	By-law	In effect
<b>86 communities</b>	<b>1,580,898</b>		

**4. Some restaurants are smokefree and some restaurants provides non smoking sections ; may include ventilation and/or smoking allowed in bar area and/or no smoking in restaurants without liquor licenses; may include variances.**

City/Town	2000 Pop.	Type of local measure	Status of implementation
Billerica	38,981	BOH regulation	In effect
Blackstone	8,804	BOH regulation	In effect
Boxborough	4,868	BOH regulation	In effect
East Longmeadow	14,100	BOH regulation	In effect
Gardner	20,770	BOH regulation	In effect
Halifax	7,500	BOH regulation	In effect
Hamilton	8,315	BOH regulation	In effect
Hanover	13,164	BOH regulation	In effect
Hull	11,050	BOH regulation	In effect
Ludlow	21,209	By-law	In effect
Millis	7,902	BOH regulation	In effect
New Bedford	93,768	BOH regulation	In effect
Newburyport	17,189	BOH regulation	In effect
Northborough	14,013	BOH regulation	In effect
Norwell	9,765	By-law	In effect
Norwood	28,587	BOH regulation	In effect
Salisbury	7,827	BOH regulation	In effect
Shrewsbury	31,640	BOH regulation	In effect
Springfield	152,082	Ordinance	In effect
Tyngsborough	11,081	BOH regulation	In effect
Westfield	40,072	BOH regulation	In effect
Westford	20,754	BOH regulation	In effect
Wilbraham	13,473	BOH regulation	In effect
Worcester	172,648	Ordinance	In effect
<b>24 communities</b>	<b>769,562</b>		

**5. Communities with regulations that are similar to the state law.**

City/Town	2000 Pop.	Type of local measure	Status of implementation
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Burlington	22,876	BOH regulation	In effect
Dracut	28,562	BOH regulation	In effect
Fall River	91,938	BOH regulation	In effect
Franklin	29,560	BOH regulation	In effect
Granby	6,132	BOH regulation	In effect
Hudson	18,113	BOH regulation	In effect
Lawrence	72,043	BOH regulation	In effect
Malden	56,340	Ordinance	In effect
Nahant	3,632	BOH regulation	In effect
Quincy	88,025	BOH regulation	In effect
Seekonk	13,425	BOH regulation	In effect
Southwick	8,835	BOH regulation	In effect
Stoughton	27,149	BOH regulation	In effect
Waltham	59,226	BOH regulation	In effect
Winthrop	18,303	BOH regulation	In effect
<b>15 communities</b>	<b>544,159</b>		

**The following communities have not enacted any local secondhand smoke measures for restaurants and/or bars:**

City/Town	2000 Pop.
Alford	399
Ashburnham	5,546
Ashby	2,845
Ayer	7,287
Becket	1,755
Berkley	5,749
Berlin	2,380
Bernardston	2,155
Blandford	1,214
Bolton	4,148
Boxford	7,921
Brockton	94,304
Brookfield	3,051
Carlisle	4,717
Charlemont	1,358
Charlton	11,263
Cheshire	3,401
Chester	1,308
Chesterfield	1,201
Clarksburg	1,686
Clinton	13,435
Colrain	1,813
Conway	1,809
Cummington	978
Dighton	6,175
Douglas	7,045
Dunstable	2,829
East Bridgewater	12,974
East Brookfield	2,097

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Erving	1,467
Florida	676
Gill	1,363
Goshen	921
Gosnold	86
Granville	1,521
Hadley	4,793
Hampden	5,171
Hanson	9,495
Hardwick	2,622
Harvard	5,981
Hawley	336
Hinsdale	1,872
Holland	2,407
Hopedale	5,907
Huntington	2,174
Kingston	11,780
Leverett	1,663
Leyden	772
Lunenburg	9,401
Merrimac	6,138
Middleborough	19,941
Middlefield	542
Millbury	12,784
Monroe	93
Montgomery	654
Mount Washington	130
New Ashford	247
New Marlborough	1,494
New Salem	929
Newbury	6,717
North Brookfield	4,683
Northfield	2,951
Orange	7,518
Otis	1,365
Oxford	13,352
Paxton	4,386
Pelham	1,403
Pembroke	16,927
Pepperell	11,142
Peru	821
Phillipston	1,621
Plainfield	589
Plympton	2,637
Raynham	11,739
Rehoboth	10,172
Rockland	17,670
Rockport	7,767
Rowe	351
Rowley	5,500
Russell	1,657
Rutland	6,353

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Sandisfield	824
Savoy	705
Shirley	6,373
Shutesbury	1,810
Somerset	18,234
Sutton	8,250
Swansea	15,901
Taunton	55,976
Tolland	426
Topsfield	6,141
Upton	5,642
Wales	1,737
Warren	4,776
Warwick	750
Washington	544
Wendell	986
Wenham	4,440
West Bridgewater	6,634
West Newbury	4,149
West Stockbridge	1,416
Westhampton	1,468
Weston	11,469
Whitman	13,882
Williamsburg	2,427
Windsor	875
Worthington	1,270
<b>107</b>	<b>640,629</b>

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